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Attorneys for Plaintiff  
IP SOLUTIONS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN JOSE DIVISION)

IP SOLUTIONS, INC., a Delaware  
corporation,

Plaintiff,

v.

BANK OF AMERICA, N.A., a National  
Banking Association Member; BANK OF  
AMERICA TECHNOLOGY AND  
OPERATIONS, INC., a Delaware  
corporation,

Defendants.

Case No. 07-CV-2774 (JF)

**STIPULATION AND [PROPOSED] ORDER  
CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE**

1 TO THE COURT, TO ALL PARTIES, AND TO THE PARTIES' ATTORNEYS OF  
2 RECORD:

3 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff, IP SOLUTIONS,  
4 INC. ("Plaintiff") and Defendants, BANK OF AMERICA, N.A. and BANK OF AMERICA  
5 TECHNOLOGY AND OPERATIONS, INC. ("Defendants") that the Case Management  
6 Conference be continued by two (2) months from its originally-scheduled date of August 29, 2007,  
7 up to and until October <sup>26</sup>~~29~~, 2007, or to a later date that is convenient for the Court.

8 IT IS FURTHER HEREBY STIPULATED AND AGREED by and between Plaintiff and  
9 Defendants that, pursuant to this Stipulation continuing the Case Management Conference, the case  
10 schedule dates be modified as set forth in Exhibit A, attached hereto.

11 Plaintiff and Defendants desire to pursue settlement opportunities in this matter and require  
12 additional time in which to organize, schedule, and conduct mediation efforts. In particular,  
13 Plaintiff and Defendants are currently discussing the possibility of using the services of JAMS to  
14 facilitate mediation. The parties are investigating the availability of local JAMS mediators for the  
15 month of September, and have already identified at least two individuals with availability in that  
16 timeframe. This Stipulation is therefore requested for good cause, namely, for the purposes of  
17 pursuing opportunities for settlement, and is not entered into for purposes of delay.

18 The parties previously stipulated that Defendants be granted an additional fifteen (15) days  
19 in which to respond to Plaintiff's Complaint, up to July 27, 2007. The parties further stipulated that  
20 Defendants be granted an additional four (4) days in which to respond to Plaintiff's Complaint, up  
21 to July 31, 2007.

22 By entering into this stipulation, neither Plaintiff nor Defendants waive any rights, claims or  
23 defenses they may have in this action.

24 This Stipulation may be executed in counterparts and by facsimile signature, each of which,  
25 when executed, shall be an original and all of which together shall constitute one and the same  
26 stipulation. This Stipulation contains the entire agreement among the parties. The undersigned  
27 hereby consent to the terms set forth in the foregoing Stipulation.

28 ///

1 IT IS SO STIPULATED AND AGREED.

2 Dated: August 3, 2007

FISH & RICHARDSON P.C.

3  
4 By: /s/ Christina D. Jordan

Christina D. Jordan

5 Attorneys for Defendants  
6 BANK OF AMERICA, N.A. and BANK OF  
7 AMERICA TECHNOLOGY AND  
8 OPERATIONS, INC.

9 Dated: August 3, 2007

10 TRIAL AND TECHNOLOGY LAW GROUP

11  
12 By: /s/ Robert A. Spanner

13 Robert A. Spanner

14 Attorney for Plaintiff  
15 IP SOLUTIONS, INC.

16 **DECLARATION OF CONSENT**

17 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty  
18 of perjury that concurrence in the filing of this document has been obtained from Robert A.  
19 Spanner.  
20

21 Dated: August 3, 2007

FISH & RICHARDSON P.C.

22  
23 By: /s/ Christina D. Jordan

24 Christina D. Jordan

25 Attorneys for Defendants  
26 BANK OF AMERICA, N.A. and BANK OF  
27 AMERICA TECHNOLOGY AND  
28 OPERATIONS, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Case Management Conference is continued to 10/26/07 at 10:30.

Dated: 8/27, 2007

  
HONORABLE JEREMY FOGEL  
JUDGE OF THE UNITED STATES DISTRICT COURT

Stip and Prop Order Continuing CMC.doc